

## HUMAN RIGHTS COUNCIL – 57th SESSION

### Interactive Dialogue on the High Commissioner’s Report on Nicaragua

10 September 2024

**Mr. Christian Salazar Volkmann, Director of the Field Operations and Technical Cooperation Division at OHCHR**, presented the report on Nicaragua as per Human Rights Council resolution 52/2. Mr. Salazar expressed concern over the ongoing widespread backslide in the human rights situation prevailing in the country. Since last year’s update, the persecution of opposition members, dissenting voices, and those perceived as such has intensified. In parallel, the erosion of civil space continued unabated in a context of **systematic repression of public freedoms**. Mr. Salazar further expressed alarm over the recent amendments by the National Assembly to the criminal code and to the law on the repression of money laundering and financing of terrorism. Such reforms could be used to intensify the persecution and repression of Nicaraguans, including those abroad.

Up to July 2024, 141 persons continued to be victims of **arbitrary detentions**. In a humanitarian gesture, 135 persons were recently released thanks to the intervention of the governments of Guatemala and the United States. Arbitrary deprivation of liberty, torture, and ill-treatment continued to be a source of serious concern for OHCHR. Persecution had extended to families who were prohibited from speaking about their loved ones under threat of losing their right to visit or getting other family members incarcerated. Last year, OHCHR documented at least two cases of enforced disappearances; 12 cases of torture; and many cases of persons condemned without due process on fabricated cases, in breach of the principles of legality and legal security. In July 2024, 11 journalists were forced to leave the country for fear of reprisals simply for carrying out their work and expressing themselves freely. Decisions taken by the national authorities prevented 62 Nicaraguans from returning to their country. Such forced exile was tantamount to a situation of de facto statelessness which exacerbated their vulnerability by depriving them of their right to family life and other fundamental rights.

The Government of Nicaragua proceeded to **the cancellation of the legal personality of many types of organizations**. Between June 2023 and June 2024, a total of 303 organizations were dissolved by one single decision, a trend which further deteriorated in August 2024 during which 1,500 such cancellations were performed. Among these, over 600 religious entities and 151 business associations were affected. Since 2018, the total number of organizations dissolved exceeded 5,000. This **progressive dismantling of the social fabric of the country** deprived thousands of access to key services and work, which in turn impacted their means of subsistence and exacerbated the social and economic fabric of the country. The shuttering down of hundreds of religious organizations as part of **religious persecution** manifested itself through measures such as the arbitrary detention of priests, legal proceedings without fundamental guarantees, abductions, expulsions from the country, and confiscation of goods. Between June 2023 and August 2024, at least 42 catholic priests and seminarists from the Holy See were expelled from the country. Such systematic attacks on religious organizations had profoundly eroded the enjoyment of the right to freedom of conscience and religion.

Despite the progress achieved by Nicaragua on gender equality through the promotion of equal participation in public affairs and the creation of a Ministry for Women, there were still **obstacles to the enjoyment of the right to health and sexual and reproductive rights**, such as the absolute prohibition on abortion, insufficient measures to prevent and address gender-based violence, early pregnancies, and child marriage.

Violence in indigenous territories further continued. OHCHR documented cases of gender-based violence, killings, deliberate burning of homes, and illegal appropriation of Indigenous lands and property, thereby **forcing hundreds of Indigenous peoples into exile** or forcibly leaving their communities. The government's decisions also affected the North Caribbean coast through the granting of mining concessions without any prior consultations and in the absence of any free, prior, and informed consent by indigenous populations.

Addressing the multifaceted crisis affecting Nicaragua since 2018 required vigorous and urgent changes which should be guided by the recommendations formulated by OHCHR and human rights mechanisms. Mr. Salazar reiterated his call to the Government to resume cooperation with UN human rights mechanisms and offices. He further urged the Government to immediately release all those arbitrarily deprived of their liberty and protect their rights and their families against any persecution. The upcoming UPR represented a valuable opportunity for Nicaragua to advance the human rights of its citizens.

In his **concluding remarks**, Mr. Salazar suggested a multidimensional approach to the protection of freedom of expression, human rights defenders, and civil society. The latter shall be able to continue to insist with the Government of Nicaragua on the implementation of recommendations formulated by human rights mechanisms as well as to maintain diplomatic and political engagement. Female rights defenders and women's rights NGOs should benefit from specific support, as many of the recently closed NGOs provided support to women from different walks of life. As regards forced exile, countries should reinforce their asylum and temporary relocation programs by adopting a gender lens and by providing support to Nicaraguans in exile financially, socially, legally, and also psychologically. On political detainees, calls for their unconditional release should be made both in bilateral and multilateral fora as well as a call for access for independent monitoring of places of detention. As OHCHR documented about 300 persons were stripped of their nationality and 160 Nicaraguans were denied entry in the country, facilitating family reunification was also of key importance. In conclusion, OHCHR would reiterate its call on the Government to reinstate cooperation with OHCHR.

### Interactive dialogue

**36 country delegations** took the floor during the interactive dialogue. While welcoming the recent release of 135 political prisoners, the vast majority of the delegation expressed utmost concern over the **systematic erosion of political and civil rights**. The practice of stripping of their nationality dissenting voices and the forcing of many into exile drew criticism from a considerable number of states. Amidst a climate of **brutal crackdown on dissenting voices**, the ensuing arbitrary detention marred by cases of torture and ill-treatment was also a source of major concern among delegations. Nor did repressive state measures spare those who were merely perceived as dissenting voices and those forced to exile still enduring extraterritorial persecution.

Many countries strongly condemned the **intensification of political and religious persecution** which also manifested itself through threats and arbitrary detention addressed to human rights defenders, religious and community leaders, members of catholic associations, journalists, and indigenous peoples. Particularly worrisome was **the shuttering down of a considerable number of civil society organizations**, including Catholic associations, accompanied by the seizure of their property, arbitrary detention and expulsion of their members. Many countries called upon the authorities to reverse such restrictive policies at odds with international human rights standards and to immediately release all those arbitrarily detained.



**Nicaragua (country concerned)** took the floor through **Ms. Wendy Morales Urbina**, Attorney General of the Republic of Nicaragua, via video statement, by reiterating its firm position vis-à-vis the Human Rights Council. Ms. Morales Urbina pointed to injustices and illegalities included in UNHRC and OHCHR reports that allegedly defamed the country's authority and national institutions which failed to reflect all the progress achieved for the benefit of all Nicaraguans. The continuous exploitation of these fora as an instrument of imperialism was intended to seek intervention into the country, thereby violating Nicaraguans' rights, sovereignty, and self-determination. Mechanisms of moral colonization breached the principle of non-intervention as an absolute, inalienable right of the Nicaraguan people. The Government expressed continuous commitment to achieving economic development, social peace, and cultural development as genuine guarantors of the common good.

The **European Union** called on the Nicaraguan authorities to uphold the rule of law and to respect, protect, and fulfill human rights, including the right to nationality; academic freedom; freedom of expression and association, and freedom of religion or belief. Voicing serious concerns over grave restrictions on civil society, it called upon the national authorities to cooperate genuinely with all human rights mechanisms. In the same vein, **Latvia (on behalf of the Nordic-Baltic countries)** expressed grave alarm over the continuous suppression of any critical manifestation of the rights to freedom of expression, peaceful assembly, and association coupled with arbitrary detention; and called on Nicaragua to resume cooperation with human rights mechanisms and fully restore the civil and political rights of the Nicaraguan people.

**Argentina (on behalf of the Core Group on the resolution of the human rights situation in Nicaragua)** was following with deep concern about the progressively deteriorating situation of human rights in Nicaragua. Utmost concern was expressed about systematic violations of the most basic guarantees of due process; arbitrary arrests of human rights defenders, religious opponents, persons linked to the Catholic Church and other religious groups; the cancellation of the legal personality of over 3,200 civil society organizations in less than a year; the closure of media outlets; an ever-tightening control over the judiciary; and a systemic campaign of repression and deportation of political prisoners, revocation of their citizenship and confiscation of property. The Core Group urged the Government of Nicaragua to release all those arbitrarily detained; to allow visits by lawyers and family members to all those detained; to restore the rights of persons deprived of nationality; and to cooperate fully with and allow access to OHCHR and other Council's mechanisms.

Representing a minority opinion among delegations present in the room, **Venezuela**, speaking on behalf of **the Group of Friends in Defence of the Charter of the United Nations**, reiterated its reject of double standards, the instrumentalization of human rights, and the continuous proliferation of special procedures without the consent of the country concerned.

**Ecuador** stressed that the lack of independence of the judiciary eroded *inter alia* the right of women to submit complaints of gender-based violence. **Uruguay** called upon Nicaragua to initiate an inclusive process of national dialogue with the aim of restoring the rule of law and upholding the fundamental rights and freedoms of the Nicaraguan people.

In order to make progress on human rights, **Saudi Arabia** and **China** called for the end of confrontation and the opening of a constructive dialogue with the country concerned.

The **Organization of American States (OAS)** collected over 1,800 testimonies taken from victims of human rights violations. It deplored the concentration of the executive power in the police; the closure of civic space; restrictions on religious freedom and freedom of expression; harassment, arbitrary detention, and aggression by state authorities in full impunity; and deprivation of citizenship. The OAS

requested Nicaragua to release those arbitrarily detained and called on the international community to promote democracy in the country.

**NGOs** voiced grave concern over forced exile and removal of nationality for those expressing freely their dissent; the forced closure of media outlets and civil society organizations; attacks against artists, journalists, religious institutions, and universities to silence criticism and requests for change in full impunity. Many NGOs urged the international community to strengthen oversight, monitoring, and accountability mechanisms.

**PEN International** took the floor through Ms. Gioconda Belli, a Nicaraguan writer stripped of her nationality for exercising her freedom of expression. Among the 5,600 NGOs cancelled there was PEN Nicaragua of whom she was the chair. Crackdowns on freedom of expression and opinion continued unabated with 56 media outlets closed, 277 journalists forced to exile, Churches emptied of critical priests and their assets confiscated, and the imposition of a distorted narrative of history. **Pan-American Development Foundation** stressed the prevalence of religious persecution against Catholic organizations, with 52 Catholic lay persons and 15 evangelical leaders having been prosecuted in the last two years.

Delegations that took the floor during the Interactive dialogue (36 country delegations):

*Nicaragua, the EU, Argentina (on behalf of a group of countries), Latvia (on behalf of the Nordic-Baltic countries), Venezuela (on behalf of the Group of Friends in Defence of the UN Charter), Luxembourg (on behalf of the Benelux countries), Chile, Peru, Sri Lanka, Cyprus, Ecuador, France, Israel, DPRK, Austria, Argentina, Iran, Cuba, Spain, United Kingdom, Uruguay, Saudi Arabia, Russian Federation, Belarus, Lao PDR, Georgia, Zimbabwe, United States, Venezuela, Switzerland, China, Yemen, Syrian Arab Republic, Eritrea, Organization of American States (OAS), Ukraine.*

NHRIs and NGOs that took the floor during the Interactive dialogue (10):

*Pen International, Global Human Rights Defence (GHRD), Jubilee Campaign, Aula Abierta, Pan-American Development Foundation, INHR, Christian Solidarity Worldwide, International Federation for Human Rights League, Peace Brigades International, CCPR-Centre.*

To watch the full meeting refer to [UN WEB TV](#).